REMARKS

The claims stand rejected as being unpatentable over Seelich (US 6,579,537B2) in view of Ota (US 2003/0055179).

Seelich teaches a method of single-step precipitation of a protein composition that comprises fibrinogen and fibronectin, which composition can be stored frozen in a syringe.

Ota teaches a myriad of polyolefin compounds that can be used to form sheets, films, or hollow tubes, such as syringes. In paragraph 2691, Ota discloses extruded pellets of one composition having a flexural modulus of 203 MPa. In paragraph 1311, Ota discloses a film or sheet of another composition that has a thickness of 10 to 3000 μm. In paragraph 0015, Ota discloses that the polyolefin compounds can be synthesized to have a good balance of transparency and heat resistance.

The Examiner alleges that it would have been obvious from these disclosures to invent a syringe that has a flexural modulus of less than or equal to 1240 MPa and a thickness of 0.0254mm to 0.762 mm in order to obtain a good balance of transparency and heat resistance as taught by Ota. The Examiner states that "motivation is provided for providing for the modulus of Ota ... in Seelich..., thus disclosing the limitations of the claimed invention; a method of reducing freeze thaw voids is disclosed by [the combination of Ota and Seelich]".

Applicant respectfully traverses. There is no teaching, suggestion, or motivation in either of these references to incorporate the modulus of Ota into Seelich. Seelich is directed to a method for precipitating proteins, which can be stored frozen in a syringe, and Ota teaches polyolefins that have a flexural modulus 203 MPa, but there is no apparent reason in either Ota or Seelich to combine their elements to reduce freeze thaw voids. Transparency and heat resistance, which are mentioned in the references, are independent of the presence of freeze thaw voids, which are not mentioned. It is possible to have transparency and heat resistance and still have freeze thaw voids. It is not predictable that the absence of freeze thaw voids would occur from the teachings of Ota and Seelich. An inventive method is not proved obvious by demonstrating that each element was independently known in the prior art. It is necessary to identify a reason that would have prompted a person of ordinary skill in the art to combine the elements for the intended result, and that has not been done.

Applicants respectfully request the Examiner to remove the rejection and allow the claims to issue.

END OF REMARKS